

# APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

NEW PRIORITY DATE:

Date of filing in State Engineer's Office ~~FEB 27 1997~~ JUN 27 2008

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed FEB 27 1997

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The applicant **Blue Diamond Oil Corporation**, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is **Underground Sources (Well No. 24D)**
2. The amount of water applied for is **1.0 cfs** second-feet
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Quasi-municipal purposes**
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated
  - (b) Stockwater, state number and kinds of animals to be watered
  - (c) Other use (describe fully under No. 12. "Remarks")
  - (d) Power:
    - (1) Horsepower developed
    - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **in the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 35, T.16 N., R.63 E., M.D.B.& M., whence the Southwest Corner of Said Section 35 bears S.61°31'08"W., 114.57 feet distant.**
6. Place of Use **Portions of the S $\frac{1}{2}$  SW $\frac{1}{4}$  and the SE $\frac{1}{4}$  of Section 35, T.16 N., R.63 E., M.D.B.& M., and portions of the N $\frac{1}{2}$  N $\frac{1}{2}$  NW $\frac{1}{4}$  of Section 1, T.15 N., R.63 E., M.D.B.& M.**
7. Use will begin about **January 1st** and end about **December 31st**, of each year.
8. Description of proposed works **Drilled well with pump, storage tanks and associated service lines**
9. Estimated cost of works **\$160,000.00**
10. Estimated time required to construct works **3 years**
11. Estimated time required to complete the application of water to beneficial use **5 years**

12. Remarks: This application is proposed to service approximately 100 residences and commercial establishments at an estimated consumption rate of 0.3 cfs., 24 hours per day, 365 days per year for an estimated annual consumption of 65.7 million gallons.

By s/Richard W. Forman  
Richard W. Forman  
P.O. Box 150  
Ely, Nevada 89301

Compared nsr/jr jr/cms

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 65.7 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

April 1, 2000

Proof of completion of work shall be filed before:

May 1, 2000

Application of water to beneficial use shall be filed on or before:

April 1, 2003

Proof of the application of water to beneficial use shall be filed on or before:

May 1, 2003

Map in support of proof of beneficial use shall be filed on or before:

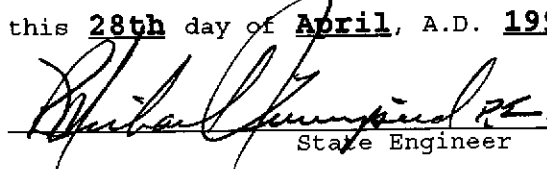
N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 28th day of April, A.D. 1998

  
State Engineer

Completion of work filed APR 30 2003

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

~~CANCELLED JUN 23 2008 BECAUSE OF  
FAILURE OF APPLICANT TO COMPLY WITH THE  
PROVISIONS OF PERMIT~~

~~Tommy Tyler P.E. STATE ENGINEER  
Can. Rescinded 11-24-2008~~